



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ४, अंक ५८]

शुक्रवार, जुलै २७, २०१८/श्रावण ५, शके १९४०

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असाधारण क्रमांक ११८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018 (Mah. Act No. XLIV of 2018), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,  
I/c. Secretary (Legislation) to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XLIV OF 2018

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 27th July 2018.)

An Act further to amend the Maharashtra Land Revenue Code, 1966 and to repeal the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules, 1968.

WHEREAS both Houses of the State Legislature were not in session;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Land Revenue Code, 1966 and to repeal the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules, 1968, for the purposes hereinafter appearing ; and therefore, promulgated the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Ordinance, 2018 on the 21st April 2018 ;

Mah.  
XLI of  
1966.

Mah.  
Ord. IX  
of  
2018.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature; it is hereby enacted in the Sixty-ninth Year of the Republic of India, as Follows :—

## CHAPTER I

### PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018.

(2) It shall be deemed to have come into force with effect from the 21st April 2018.

## CHAPTER II

### AMENDMENTS TO THE MAHARASHTRA LAND REVENUE CODE, 1966.

Amendment of section 29 of Mah. XLI of 1966.

2. In section 29 of the Maharashtra Land Revenue Code, 1966 (hereinafter, in this Chapter, referred to as “the Land Revenue Code”),—

Mah. XLI of 1966.

(i) in sub-section (2), for clause (c), the following clause shall be substituted, namely :—

“(c) on the 21st April 2018, being the date of commencement of the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018, were holding the land in Vidarbha in *Bhumiswami* rights with restrictions on right to transfer, or in *Bhumidhari* rights in any local area in Vidarbha.”;

Mah. XLIV of 2018.

(ii) in sub-section (3), in clause (b), sub-clause (i) shall be deleted.

Insertion of section 246A in Mah. XLI of 1966.

3. After section 246 of the Land Revenue Code, the following section shall be inserted, namely :—

Pending applications for conferral of Occupants—Class I Rights.

“246A. Any application by a person pending before any revenue officer or, before the State Government, whether in appeal, revision or otherwise, on the 21st April 2018, being the date of commencement of the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018, for permission to hold the land as Occupants—Class I, shall, with effect from the date of commencement of the said Act be treated as closed.

Mah. XLIV of 2018.

Explanation.— For the purposes of this section, the expression “land” shall mean the land in any local area in Vidarbha, held in *Bhumiswami* rights with restrictions on right to transfer, or in *Bhumidhari* rights in any local area in Vidarbha.”.

Amendment of section 328 of Mah. XLI of 1966.

4. In section 328 of the Land Revenue Code, in sub-section (2), clause (ix) shall be deleted.

## CHAPTER III

### REPEAL OF THE MAHARASHTRA LAND REVENUE (INCLUSION OF CERTAIN *BHUMIDHARIS* IN OCCUPANTS—CLASS I PERMISSION) RULES, 1968.

Repeal of the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules, 1968.

5. The Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules, 1968, shall stand repealed.

## CHAPTER IV

### MISCELLANEOUS

**6.** (1) If any difficulty arises in giving effect to the provisions of the Maharashtra Land Revenue Code, 1966, as amended by this Act, the State Government may, by order published in the *Official Gazette*, as the occasion may arise, make such provisions, not inconsistent with the provisions of the said Code, as amended by this Act, as may appear it to be necessary or expedient for the purpose of removing such difficulty :

Power to remove difficulty.

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

**7.** (1) The Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants-Class I Permission) Rules (Repeal) Ordinance, 2018, is hereby repealed.

Repeal of Mah. Ord. IX of 2018 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Maharashtra Land Revenue Code, 1966 as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the said Code, as amended by this Act.